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OUR "PRISONERS OF WAR"

BY O. K. DAVIS

"NEITHER slavery nor involuntary servitude, *except as a punishment for crime whereof the party shall have been duly convicted*, shall exist within the United States," declares the Federal Constitution. But the great charter of our liberties is silent on the subject of the treatment of prisoners of war.

In the summer of 1886 the United States made "prisoners of war" 506 Apache Indians—men, women, and children. In the quarter of a century since then the status of those Indians has not been changed. Their few survivors and their much more numerous descendants—their children and their children's children—are still "prisoners of war." There are among the band men and women of full age who were born into that condition and have grown to maturity without knowing any other lot.

It took only a telegram from President Cleveland to put these Indians and their forebears into this anomalous condition. But it will require an act of Congress to free them from it.

"All the hostiles should be very safely kept as prisoners of war until they can be tried for their crimes or otherwise disposed of."

That was the order of President Cleveland, telegraphed from his summer place in the Adirondacks to General Drum, the acting Secretary of War at Washington. Only a small part of those made prisoners of war were hostiles at the time, but the order was made to apply to them all. How literally it has been obeyed these twenty-five years! Not one of the 506 has been "tried for his crimes" in this quarter of a century, but nearly all of them have been "otherwise disposed of." Tuberculosis and different diseases, with the natural effect of old age, have attended to that.

Now only one or two of the old warlocks whose activities evoked that order remain.

Two or three times the War Department has suggested turning the prisoners of war over to the Interior Department for allotment of land and the establishment of the same status enjoyed by all the other Indian wards of the Government. For a long time the Interior Department successfully opposed receiving them. When, at length, it consented, a new obstacle was found in the inertia of Congress. For two years efforts have been made to secure the enactment of a law that would release these ancient prisoners. Once it actually passed the Senate, only to encounter the inert opposition of an uninterested committee chairman in the House and to die from inattention at the close of the session.

For more than a decade the steadily diminishing number of old men in the band have been appealing to Washington for permission to go to their old homes. At least, if they cannot do that, they ask for homes of their own where they are. They have held councils with different men high in the Government and have urged their cause with tearful eloquence. But to no avail.

"Give us homes of our own," they plead. "Make us free as other Indians are!"

But always the plea has met only unresponsive silence.

One reason alone has sufficed to keep these Indians in their present status. It is that they have prospered and done well under the active supervision to which they have been subjected for the last seventeen years. During that period they have been quartered at Fort Sill, Oklahoma. They live on small farms clustered near the army post, the buildings of each family constituting a "village" bearing the name of the head man of the family. An army officer has been constantly in charge of them. They have cultivated their farms and done all the work of their community under his direction and instruction. Most of their property is held in common. Sales of stock are managed by the army supervisor. They come and go about the reservation pretty much as they please, except that the men are daily detailed to their tasks by the supervising officer, and they may not leave the reservation without a pass from him.

It is not a painful captivity, and they know they are well off as they are. But in the hearts of most of them there

linger the recollections or the traditions of the old home, and they have never ceased to yearn for it. Ojo Caliente! A place far beyond their sky-line, visible only to the eyes of their imagination. They do not know that in the quarter of a century since they were taken thence Ojo Caliente has ceased to be and that its name has disappeared from the white man's maps.

Among the many thousands of Americans who were brought up to believe the old saying that there is "no good Indian but a dead one," the name Apache has long been regarded as descriptive of the very worst there could be even of Indians. And among all the Apaches the flint-hearted chief Geronimo was believed to be the worst. It was because Geronimo headed the band whose doings led to the great campaign of 1886 that this quarter-century-long captivity came about. Geronimo died some years ago, a "prisoner of war" at Fort Sill.

The official reports of General Nelson A. Miles during the hard campaign of '86 speak several times of the "chronic condition of warfare that for centuries had afflicted the territories now comprising Arizona and New Mexico." There is no doubt that from the white man's viewpoint the Apaches, especially Geronimo's band, were bad Indians. But not all the story is told when the white man's side of it is given. There is something to say, even for these Apaches, and as is so often the case when considering the white man's dealings with Indians, there is much of bad faith in it. It was a conspicuous exhibition of bad faith by the Government that caused the outbreak which led up to General Miles's campaign.

In the years immediately following the close of the Civil War a band of Chiracahua Apaches, under Chief Cochise, had their stronghold in the Dragoon Mountains, away down in the southeastern corner of Arizona. They made a great deal of trouble, swooping down on the whites from their inaccessible mountain haunts and doing much damage. In 1872 President Grant took General O. O. Howard from his work with the Freedmen's Bureau in Washington, and sent him on a roving commission to the Indians of the west and southwest, in the effort to bring about better relations generally and to see if something like a permanent peace could not be established.

General Howard managed, through the assistance of a

white man named Captain Jeffords, whom he met in Arizona, to penetrate into the Chiricahua stronghold and obtain a meeting with Cochise. They held a great powwow, which ended in the conclusion of a treaty under which the Government was to give the Dragoon Mountains to the Chiricahuas as a perpetual reservation, and the Indians were to maintain peace with the whites.

That treaty was duly approved in Washington and for three years it operated to give entire peace to that part of the country so far as Cochise and his band were concerned. But in 1875 that treaty was flagrantly broken by the Government. There had been no offense on the part of the Indians. They were living peacefully on their reservation, abiding by the treaty, when the Interior Department determined that all the Apaches of the different bands must be gathered together into one, and designated the San Carlos reservation, a couple of hundred miles north of the Dragoons, as the place for their future home. Cochise and his band had not been consulted about this. Nothing was said to them until the decision was made, and then they were simply notified that they must move.

The Chiricahuas flatly refused to go. They held by their rights under the Howard treaty. The Interior Department called upon the army to move them, and a regiment of cavalry was sent after Cochise and his men.

"They shall never take us to San Carlos," said Cochise, and they never did.

The soldiers got the old men and women who were too feeble either to run or to fight, and they got some of the children who were too small to keep up with their parents in the desperate chasing back and forth across the mountains that ensued. And for ten years Arizona and New Mexico knew what it was to feel the unrelenting hatred of the enraged and outraged Apaches. Murder after murder was committed. Ranches were devastated and families destroyed. Stock was run off or killed and no man was safe without strong guard. There was no limit to the atrocities of the Indians.

With intermittent persistence the Government maintained its effort to get the Chiricahuas up to San Carlos. Cochise died and Natchez, his son, took up the contest as hereditary chief of the Chiricahuas. One of the ablest and fiercest of the followers of Natchez was Geronimo.

From time to time the troops managed to persuade or force some or all of these Indians to go to one or another of the reservations in Arizona. But the period of comparative peace was never of long duration. In the spring of 1885 most of the Chiricahuas were on the White Mountain reservation. About the middle of May, Geronimo, Natchez, and some other chiefs, with seventy-five or eighty of the band, broke away and went on the war-path again.

There followed a series of atrocities that exceeded anything the Indians had ever done. Troops under General George Crook, an Indian fighter of great experience, were at once sent after Geronimo and his band, and an arduous campaign was kept up for a full year. But General Crook was under orders to force an unconditional surrender, and that was more than he could do. Finally, in March, 1886, General Crook had a conference with the Indians at which they agreed to return to the reservation.

The troops and Indians started for Fort Bowie and marched side by side for two days. Then Geronimo, Natchez, and about twenty men, with fourteen women and some children, escaped from the surveillance of the soldiers and took to the hills again. It developed afterward that they had been frightened by stories some of the interpreters had told them of the punishment they would have to meet for their actions during the long hostilities. Geronimo, especially, had been warned that he was to be hanged, and he preferred to die fighting rather than on a scaffold.

Geronimo made the most desperate struggle for himself and his party during the ensuing summer that is recorded in the annals of Indian warfare. General Miles succeeded General Crook in command of the troops in that district. He put men in every valley and organized several flying columns that were ordered to pursue the Indians without cessation until they were captured or killed. Captain Henry W. Lawton—who, as Major-General Lawton, was killed in the Philippines twelve years ago—commanded the column that did most of this chasing of Geronimo. From May 5th until September 3d it was constantly on the march. Time and again the Indian camp was struck, but never was there a pitched fight. Geronimo trusted more to his ability to run than to resist. When struck the Indians would scatter like a covey of quail. The troops would take up the trail of a single Indian and follow it until the band reunited.

Several times most of the horses and equipment of the Indians were taken, but they always managed to replenish their outfit by raids on settlers. A few Indians were killed and some of the soldiers lost their lives, but in the main it was just a case of flight and pursuit.

President Cleveland had ordered that an absolutely unconditional surrender must be forced, and that was what Captain Lawton was working for.

"I hope nothing will be done with Geronimo," wrote the President, "which will prevent our treating him as a prisoner of war—if we cannot hang him, which I would much prefer."

Captain Lawton's report of the campaign shows that his men marched and scouted 3,061 miles in the three months they were after Geronimo, an average of about twenty-five miles a day, marvelous work over that mountain country.

But the work of the fleeing Indians was even more marvelous, for they had women and children with them. And when the band finally surrendered, one of the "prisoners of war" was a baby one month old. There were thirty-one men, women, and children in the band besides this baby.

The Apaches who had surrendered to General Crook in March and had not gone out again with Geronimo had been sent in April to Fort Marion at St. Augustine, Florida, for safekeeping and to get them clear away from the scene of their old activities. There were seventy-seven of them and they were the first of the "prisoners of war" of whom those now at Fort Sill are the survivors. During the campaign against Geronimo, General Miles came to the conclusion that it would be the best thing for both whites and Indians to remove all the remainder of the Chiricahua and Warm Springs—the latter from Ojo Caliente—Apaches from that part of the country. These Indians were then gathered at Fort Apache, Arizona, under the surveillance of regular troops. They were already prisoners of war, but they had not been disarmed and were not held in confinement or under strict guard.

President Cleveland and the War Department favored sending these Indians also to Fort Marion, but General Miles opposed it. Miles argued that as they were a mountain people, accustomed to high altitudes and dry air, sending them to the low land in Florida, with its humid climate, would be equivalent to sentencing them to death. He

wanted them sent to some place east of New Mexico, preferably in what is now the State of Oklahoma. He argued for it manfully, going so far that General Howard, his immediate superior, finally suggested that Miles was questioning the personal orders of the President. But Miles was overruled and orders were issued to send these Apaches to Florida.

Meantime General Miles had obtained permission to send Chatto and several other chiefs from Fort Apache to Washington for a powwow with the authorities there, in the hope that some agreement might be reached as to the place of their ultimate location which would be satisfactory to the Indians. The visit was made and was unsuccessful. Miles had promised specifically that if Chatto and his friends would go to Washington they should certainly be returned to their people at Fort Apache. But again there was bad faith on the part of the Government. On their way back to Arizona, Chatto's party was stopped at Fort Leavenworth and from there sent directly to Florida. There were sixteen men in this band. From Fort Apache 278 adults and 103 children were sent, making 397 in all, to join the seventy-seven sent from Fort Bowie in April. Thus there were 474 "prisoners of war" at Fort Marion when Geronimo surrendered to Lawton and Miles in Skeleton Cañon and none of them had been connected with the outbreak of that year. Geronimo's band were promptly sent on to join the others in Florida. They swelled the number of prisoners of war to 506.

Events at Fort Marion quickly proved that General Miles was right about the effect that climate would have upon these mountain people. They developed tuberculosis and other ailments and died very rapidly. In April, 1887, less than nine months after the great majority of them reached Fort Marion, they had been reduced in numbers to 354. Then they were transferred to Mount Vernon Barracks at Mobile, Alabama—69 men, 167 women, and 118 children. The change did not benefit them from any point of view. They were restless and discontented and suffered much from disease.

At length, in 1894, when the men among them had been nearly exterminated, they were removed to Fort Sill—placed at last in that part of the country where General Miles had desired at first to locate them. There were

only seventeen men left in the band, with 126 women and 117 children.

An era of prosperity opened for the prisoners of war at Fort Sill. Small parcels of land were allotted to them, and the Government helped in the erection of huts and the equipment of their little farms. They received 900 head of cattle to begin with, with some horses and mules and farm implements. The policy of the army officer in charge of them was to keep them occupied steadily. The men were detailed for work every day, some at one task and others at another. But they were not overworked and always had Saturday afternoon off as well as Sunday.

Under the supervision of the officer, they were all, in turn, instructed in farming. Some of them were taught blacksmithing and the wheelwright's trade. Others were instructed in carpentry and all the various kinds of work that are necessary in such communities. They learned how to erect all kinds of farm buildings and sheds and to put up good fences.

Each day one man was detailed for duty as orderly and several for what is known in the army as "police" duty, which is not at all that of a city policeman, but rather that of the city "white wings"—the street-sweeper and cleaner. The usual detail now is seven men to herd, five for stable police, one orderly, one blacksmith, one wheelwright, one or more to repair fences, and the rest to farm-work.

Arrangements were promptly made to give schooling to the children and these have been improved materially. Now the smaller children go to the Dutch Reformed Mission and the larger ones attend at a near-by Oklahoma town.

How well they have done is shown by the fact that now these Indians own about 10,000 head of fine cattle worth approximately \$150,000. They enjoy the reputation of having the best cattle in Oklahoma. They raise good mules and fair horses. They have constructed fifty miles of fence and are well supplied with wagons and other farming implements. Besides their cattle, they have probably \$25,000 worth of stock and other property.

Most of the cattle are held in common, but some of them are owned by different families. Those owned in common are branded "U. S." Those owned individually are branded "U. S.," with the Indian's number. Cattle are marketed only by the supervising officer. The proceeds are divided

and each Indian receives just what is due him and his family.

Three years after the prisoners of war were located at Fort Sill the Government made a trade with the Kiowa and Comanche Indians, who held lands adjacent to the post, by which the reservation was more than doubled. The Kiowas and Comanches gave up part of their land on the understanding that it was to form a permanent home for the Apaches, and the act of Congress appropriating the money to pay for it provided that it should be held "for exclusive use for military purposes and for the permanent location thereon of the Apache prisoners of war." Thus Congress apparently made these Apaches permanently prisoners of war and that is why it requires an act of Congress to release them.

In recent years the Apaches have been pleading earnestly for action. Some of them desire to remain at Fort Sill. Others are eager to return to their old Arizona home at Ojo Caliente, and still others, the great majority of them, want to go over to the Mescalero reservation in New Mexico and join the Apaches there to whom they are related. There have been great changes in Arizona since 1886, and the War Department maps to-day do not show the location of this Ojo Caliente to which these Apaches are so much attached.

Two years ago a general council of all the men among the prisoners of war was held at Fort Sill to secure a declaration on behalf of each man as to what he wanted to do. It was presided over by Lieutenant Purington, the army officer in charge of them, and George Wratten, the old interpreter who served General Miles in that capacity at the surrender of Geronimo, was there to help the Indians make known their desires.

Asa Daklugie spoke for those who wanted to go to Mescalero. He had visited that reservation earlier in the year and had talked over the proposition with the Mescaleros. At this council he gave a report of that visit. He said:

"When I gave them the words of these Apaches, they said we could come there and live inside the lines of their reservation, either with the Mescaleros or by ourselves. I was willing.

"There are mountains there, and all kinds of timber, that can be used to make lumber and build houses, or make fence-posts or railroad-ties. There is plenty of water all over, and streams and springs. Dig

a well three hundred feet, and get water that never fails. It is that way all over the reservation. There are valleys in the mountains and along the streams for farming, where a man can get a farm of ten, twenty, fifty, even a hundred acres. Those Indians said that whatever was planted would grow, whether vegetables or grain. I went down there to see what kind of a country it is, and whether we could make a living on it. The white man first goes and looks at a country, and if a certain spot, whether it be trees or rocks, suits him that is where he wants to go. We are the same way ourselves now. Of course it depends on the Lord whether a man can make a living on that ground or not. It might not rain, the same as it has not rained in this country, and then nothing would grow, no matter how rich the land.

"But we do not depend entirely on farming for a living. We have cattle, horses, sheep, pigs, chickens, from which to make a living. Lots of us know how to do all kinds of work now. You see us around here every day with our old hats on, doing work of all kinds. What we do not know we are shown and have explained to us. Some of us may not have learned yet, but we all have brains, and can and are willing to learn. We are all willing and able and anxious to work. Some of us are old and crippled and not able to work; we who are strong can take care of them. You white people, when a family is poor and unable to earn a living, others will give them something to feed them, also to build a house. We are that way now ourselves. The meanness that was in us is all out now, all gone; none have any more.

"A great many years ago the government commenced feeding us and clothing us. Do they want to keep it up until our children's children and their children's children are old men and women? No, we do not want it so! We think we have been given enough rations and clothing. We want to be free! When this paper goes to Washington we want its words to set us free! Those who want to stay here, let them stay! Those who want to go, send them!"

When those who wanted to go to Mescalero had concluded their appeal, Lieutenant Purington called on those who asked to be sent back to Ojo Caliente. With true Indian courtesy Tse-de-kizen, the oldest among them, was put forward first and then Toclanny spoke. He is one of the few survivors of the original prisoners, but not one of Geronimo's band. Now he is one of the Indian scouts at Fort Sill. He said:

"My people long ago had something that belonged to them. That is why I think and act good. Ojo Caliente! I was born close to there and raised there. That is a good country. There are mountains on this side and on that side and on the other side. In the middle there is a wide valley. There are springs in that valley, fine grass, and plenty of timber around. Dig a well and get water in forty feet! These people who want to go there will get old pretty soon. They want to be there and get settled so their children can grow up there.

"The soil is good there—you can raise anything. Even when I lived there and planted seeds by digging a hole in the ground with a stick,

the corn grew up very high, and pumpkins got very large. Horses and cattle will not freeze there. It is a healthy place for man and beast. Women nor children get sick there. Neither do animals. Do not send me any place but there! For years I have been on other people's ground, and trouble has always come of it. Somebody has always bothered me. That is why I want to go to our own country. That is why I have always been a friend to the white people. I thought that when the time came and I would ask something I would not be refused."

When Toclanny concluded Lieutenant Purington asked what he had meant by saying that for years he had been on other people's ground and trouble had always come of it. Toclanny replied that he had been on reservations belonging to other Indians and there had always been friction.

Through all the council ran that plea for something of their own. Freedom to these Apaches seems chiefly to mean possession of their own land.

Talbot Goody followed Toclanny. Goody was a boy when the Apaches were sent to Florida, but he remembered Ojo Caliente and longed to go back there. He began:

"Ojo Caliente has always been my home. All of my people, as far as I can remember, have lived there. It has been a great many years since I was taken away from there. Whatever officer comes to talk with the Apaches I have always spoken of that, my country. I talked to Secretary Taft when he was here [1906], held him by the wrists, and with the tears running from my eyes begged him to send me back to my own country. I still remember that talk. I told him all the other Indians had land of their own. They had agencies for them, somebody to look out for them. That is what I want you to do with us.

"It has been a great many years that the government has been our father. We are still looking up, and it doesn't matter where they put us, what they do with us; we still belong, in a sense, to the government. We are getting along all right here, but we pine for our old homes. Put us there!

"Do not put us on land belonging to other Indians, but on land that will be our own. The government goes according to law. If a man owns a piece of property or an allotment is given to him, it cannot be taken away from him. Even if he should kill somebody they cannot take away his land. The government has been good to us, but we want land like that, land that nobody can take away.

"We have been moved around for twenty-six or twenty-seven years; have been taught to do all kinds of work; have done as we have been told to do; and now we want to be sent back to our old homes and be given land that cannot be taken away. If the government will put us back at Ojo Caliente, we will stay there and be happy."

Goody closed the argument for Ojo Caliente. When he concluded Jason Betzinez spoke for those who desire to

remain at Fort Sill and receive allotments of land there. He said:

"We are poor, and want something for ourselves. That is why we want to stay here. I talked with President Taft, when he was Secretary of War, and asked to be left here. He made a note on paper of what I said, and may have it yet."

Then James Kawaykla took up the argument for those who want land at Fort Sill. He urged:

"The Indians assembled here have no home, no place they can call their own. To-day it appears as if it was right in front of us, waiting. I know this country around Fort Sill. I know the land because I have seen it. We have thought of this land here, and want it. We do not ask for something we have not seen, something that is over the hill and out of sight. We do not want that. What we ask for is land that we have seen and is right here in front of us. If a man lives he must have something to live on. If I am here I know I have something to live on, something that will take care of me. Make a strong plea for this land for us!"

One more brief talk closed the council. Lawrence Mithlo made that and spoke for Fort Sill. He said:

"We have worked very hard on this reservation. Why should we go away and leave it without making something from that labor? Please give it to us and make it so that it is ours, nobody else's. We think that you think it is time for us to be free. That is why we want this land upon which to make our living. The white people around the country here have farms, and they came here since we did. But already they have many things and we have nothing. The white man has his farm; has a home on it; a barn and chicken-house close by, and fields not far from the house. That is the way you want us to be!"

Such was the plea of the "prisoners of war" after twenty-three years in that status. To-day, after two years more, they are still "prisoners of war."

O. K. DAVIS.